

**IT IS SO ORDERED.**

**Dated: 02:12 PM September 02 2009**



09-3389

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION - AKRON**

**In re**

**Timothy Harold Smith**

**Debtor(s)**

**IN PROCEEDINGS UNDER CHAPTER 13**

**Case No. 05-50270**

**Judge: MARILYN SHEA-STONUM**

**ORDER FOR RELIEF FROM STAY/  
118 Joel Drive, Mogadore, OH 44260**

This matter came to be considered on the Motion for Relief from Stay (the "Motion") filed by THE HUNTINGTON NATIONAL BANK (the "Movant").

Movant has alleged that good cause exists for granting the Motion and that Debtor, counsel for the Debtor, the Chapter 13 Trustee, and all other necessary parties were served with the Motion and with notice of the hearing date of the Motion.

Based on this, it appears appropriate to grant the relief requested.

**IT IS, THEREFORE, ORDERED:**

1. The Motion is granted, and the automatic stay imposed by Section 362 of the Bankruptcy Code is terminated with respect to Movant, its successors, and assigns.

2. The Chapter 13 Trustee shall discontinue payments to Movant on its claim under the Chapter 13 Plan filed by the Debtor. Movant is directed to file a report of sale promptly following liquidation of the Collateral if any excess proceeds have been received and Movant is given leave to file an unsecured deficiency claim within 60 days after liquidation of the Collateral, if such claim exists.

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SUBMITTED BY:

**/s/ Amy M. Blythe**

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